UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,970	11/29/2000	Amr F. Yassin	US000339	8970

			EXAMINER
24737	7590	11/02/2005	VAUGHN, GREGORY J

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2005*.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Action Background

1.   This action is responsive to the applicant's amendment, filed on 8/11/2005.

2.   Applicant has amended claims 1, 13 and 14.

3.   Claims 1-14 are pending in the case, claims 1, 13 and 14 are independent claims.

4.   Examiner's rejection of claims 1-14, made under 35 USC 102 or 35 USC 103, as being anticipated or unpatentable in view of Ferrel at al. US Patent 6,584,480 as recited in the previous office action (dated 5/6/2005) are withdrawn as necessitated by the amended claims.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> *"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made."*

6.   Claims 1-7, 9 and 11-14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Ferrel et al. US Patent 6,584,480, filed 10/30/2000,

patented 6/24/2003 (hereinafter *"Ferrel"*) in view of Herigstad et al., US Patent

Publication 2003/0169282, filed 2/25/2002, published 9/11/2003 (hereinafter

"Herigstad").

7.   **Regarding independent claim 1**, Ferrel discloses parsing a mark-up

language document, where the document is based upon a subset of a

complete markup language grammar, the subset designated for a processing

device. Ferrel recites: *"tagged in a newly designed markup language termed*

herein as the Multimedia Publishing Markup Language (MPML). MPML is a

version of the HTML 2.0 with additional extensions for supporting more

detailed tagging of structure as well as embedded OLE objects" (column 3,

lines 63-67). Ferrel disclose in Figure 18 a document processed for a

particular device at reference sign 1056b, where the markup language

grammar is designated for the particular device at reference sign 1054b (shown as Style Sheet B).

Ferrel disclose a result of the parsing to control operation of the processing device. Ferrel recites: *"The actual process of parsing the content is discussed in more detail below in reference to FIG. 14. However, the parsing process that takes place at state 590 converts the MDF file into a parsed content tree having a single root with multiple nodes and branches"* (column 24, lines 40-44).

Ferrel discloses the processing device as a PDA. Ferrel recites: "the MP system is device independent in that the tagged content can be displayed with high quality on many different devices. For example, a content provider can create a title just once, but the title can be viewed on a VGA screen with one column, a printer with many columns, a small screen personal digital assistant (PDA)" (column 36, line 66 to column 37, line 4). PDA's are well known to use a markup language that is a subset of the HTML or XML languages. Herigstad substantiates this claim.

Herigstad describes PDA as wireless devices. Herigstad recites: *"The electronic apparatus may take many forms including but not limited to a telephone, a mobile phone, a pager, a personal digital assistant (PDA), interactive television system or an Internet appliance"* (page 1, paragraph 6).

Herigstad defines the wireless devices as using a wireless access protocol. Herigstad recites: "*It is presumed for illustrative purposes that the wireless access protocol (WAP) is used in this system 120*" (page 4, paragraph 38). Herigstad identifies the wireless protocol to use a markup language. Herigstad recites: "*the content may be encoded in hypertext mark-up language (HTML) or in the wireless mark-up language (WML)*" (page 4, paragraph 39). Herigstad defines WML as a subset of HTML. Herigstad recites: "*A filter 130 may be provided for converting HTML content into WML*" (page 4, paragraph 39).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to use the markup language grammar teachings of Herigstad with the structured document publishing system of Ferrel to use markup language grammar subsets for designated processing devices to allow "*users to access content on the Internet with these devices and to navigate through content that is available on the Internet*" (Herigstad, page 1, paragraph 2).

8.   **Regarding dependent claim 2**, the claim is directed toward a scalable parser that can implement a plurality of different subsets of the complete markup language grammar. Ferrel recites: "*The high level object parser, called the document type descriptor (DTD) manager understands the descriptions of tags in the text. It responds to events generated by the low-level parser and actually creates the parse tree. The high-level object also*

provides information to the low-level parser about tags defined by the DTD manager" (column 31, lines 32-37).

9.   **Regarding dependent claim 3**, the claim is directed toward a micro or macro parser. Ferrel recites: *"The first object is a low-level SGML parser which is a recursive decent parser which reads tagged content and generates events"* (column 30, lines 9-11) and *"Input characters not listed for each state have no effect on the current state and cause no events to be generated to the high-level parser"* (column 30, lines 25-27).

10.   **Regarding dependent claim 4**, the claim is directed toward the macro parser implements a superset of the grammar of the micro parser. Ferrel recites: *"The high level object parser, called the document type descriptor (DTD) manager understands the descriptions of tags in the text. It responds to events generated by the low-level parser and actually creates the parse tree. The high-level object also provides information to the low-level parser about tags defined by the DTD manager"* (column 31, lines 32-37).

11.   **Regarding dependent claim 5**, the claim is directed toward presenting information to a user. Ferrel discloses presenting information to a user in Figure 6.

12.   **Regarding dependent claims 6 and 7**, the claims are directed toward presented information having visual characteristics (claim 6) and audio characteristics. Ferrel discloses in Figure 2, a multimedia publishing system

at reference sign 102, with sound (reference sign 190) and images (reference sign 192).

13. **Regarding dependent claim 9**, the claim is directed toward the processing device being a personal digital assistant. Ferrel recites: "*In addition, the MP system is device independent in that the tagged content can be displayed with high quality on many different devices. For example, a content provider can create a title just once, but the title can be viewed on a VGA screen with one column, a printer with many columns, a small screen personal digital assistant (PDA), an interactive television (ITV) system, a fax machine, or a notebook computer. Different styles can be applied to each of these devices so that the displayed content is formatted appropriately*" (column 36, line 65 to column 37, line5).

14. **Regarding dependent claim 11**, the claim is directed toward specific list of mark-up language grammar elements. Ferrel discloses the use of one or more of these elements in the code definitions provided in column 22, lines 55-67; or the code samples provided in column 30, line 28 to column 31, line 29.

15. **Regarding dependent claim 12**, the claim contains substantially the same subject matter as claim 3, and is rejected with the same rational.

16. **Regarding dependent claims 13 and 14**, the claims contain substantially the same subject matter as claim 1, and are rejected with the same rational.

17.   Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrel in View of Herigstad.

18.   **Regarding dependent claims 8 and 10**, the claim is directed toward the processing device being a wireless telephone (claim 8) or a remote control (claim 10). Ferrel and Herigstad disclose a variety of processing devices as described above. Ferrel and Herigstad fail to disclose a wireless phone or a remote control. However, Ferrel discloses a personal digital assistant, which is a common and well-known wireless device. A wireless telephone and a remote control are also common and well-known wireless devices.

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to expand the wireless capabilities of Ferrel and Herigstad to include phones and remote controls in order to allow *"content providers to offer rich, interactive multimedia applications and services, providing users a compelling and exciting on-line experience"* (Ferrel, column 6, lines 20-22).

Response to Arguments

19.   Applicant's arguments filed 8/11/2005 have been fully considered but they are not persuasive.

20.   Regarding claims 1, 13 and 14, applicant arguments are directed toward Ferrel not adequately disclosing the markup language subset limitation of the claims. Ferrel discloses the use of a PDA, which uses wireless markup language, which is a subset of HTML. The Herigstad reference provides support for this rejection. See the complete rejection of claim 1 as stated above

Conclusion

21.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.

In no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

22.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Gregory J. Vaughn whose telephone

number is (571) 272-4131. The examiner can normally be reached Monday to

Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124.

The fax phone number for the organization where this application or

proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either Private

PAIR or Public PAIR. Status information for unpublished applications is

available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn
October 28, 2005

WILLIAM BASHORE
PRIMARY EXAMINER
10/30/2005